

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHRISTOPHER MATHIESON,

Plaintiff
v.

DOCKET NO.
1:07-cv-08527-LAK

JOHN C. DENIRO,

Defendant
_____ :

**DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO
ANSWER OR RESPOND TO THE COMPLAINT**

Defendant John C. DeNiro, by undersigned counsel, submits this unopposed motion under Rule 6 of the Federal Rules of Civil Procedure seeking a two week enlargement of time for defendant to file an answer, or respond to the Complaint filed by Plaintiff.

1. Plaintiff instituted this action by filing a Complaint on October 2, 2007, along with a Brief in Support and Declaration of plaintiff Christopher Mathieson. The Complaint was served upon defendant on October 4, 2007.

2. The parties appeared for the hearing on the motion by plaintiff for a preliminary injunction on October 22, 2007, at which time a stipulation was entered into, requiring, among other things, that within two weeks, defendant would produce copies of the financial records of JC DENIRO & ASSOCIATES, LLC ("JCD") for the plaintiff.

3. Defendant's answer is presently due by October 25, 2007. He is seeking a two week extension of time to answer or respond to the Complaint. In order to be properly prepared to answer or respond to the Complaint Plaintiff needs to analyze the copies of the financial records of JCD that are being produced for the plaintiff.

4. Plaintiff's counsel has been contacted and they do not oppose this application.

Wherefore, it is respectfully requested that this court enlarge the time for defendant to answer or respond to the Complaint up to and including November 8, 2007.

Respectfully submitted,

ROBERT S. FRANKLIN, P.A.
Attorney for Defendant

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Dated: October 23, 2007

CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Robert S. Franklin
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SERVICE LIST

CHRISTOPHER MATHIESON V. JOHN C. DENIRO

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UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

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